

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JEFFREY RAY WALTERS,	:	CIVIL ACTION NO. 1:13-CV-2275
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
PENNSYLVANIA STATE POLICE,	:	
<i>et al.,</i>	:	
	:	
Defendants	:	

ORDER AND JUDGMENT

AND NOW, this 19th day of February, 2016, upon consideration of the report (Doc. 57) of Magistrate Judge Susan E. Schwab, recommending that the court grant the motion (Doc. 43) for summary judgment filed by remaining defendants Jeremy Baluh and Jared Hahn (“defendants”) pursuant to Federal Rule of Civil Procedure 56, see FED. R. CIV. P. 56(a), wherein Judge Schwab opines that plaintiff Jeffrey Ray Walters (“Walters”) has failed to demonstrate genuine disputes of material fact in response to defendants’ motion, and that the undisputed Rule 56 record does not support Walters’ claims of excessive force, false imprisonment, and false arrest, (see id.), and the court noting that Walters has filed objections (Doc. 58) to the report, see FED. R. CIV. P. 72(b)(2), wherein Walters attempts to relitigate claims dismissed by the court at the Rule 12(b)(6) stage and challenges Judge Schwab’s application of the Local Rules of Court and Federal Rules of Civil Procedure, and that defendants have responded (Doc. 59) thereto, and, following a *de novo* review of the contested portions of the report, see Behar v. Pa. Dep’t of Transp., 791 F. Supp. 2d 383, 389

(M.D. Pa. 2011) (citing 28 U.S.C. § 636(b)(1)(C); Sample v. Diecks, 885 F.2d 1099, 1106 n.3 (3d Cir. 1989)), and applying a clear error standard of review to the uncontested portions, see Cruz v. Chater, 990 F. Supp. 375, 376-78 (M.D. Pa. 1999), the court finding Judge Schwab's analysis to be thorough, well-reasoned, and fully supported by the record, and finding Walters' objections (Doc. 58) to be entirely without merit, it is hereby ORDERED that:

1. The report (Doc. 57) of Magistrate Judge Schwab is ADOPTED.
2. Defendants' motion (Doc. 43) for summary judgment is GRANTED.
3. Judgment is ENTERED in favor of defendants Jeremy Baluh and Jared Hahn and against plaintiff Jeffrey Ray Walters.
4. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania